



DIVISION-CONTINUATION APPLICATION TRANSMITTAL FORM

Docket No.: 19603/10213

Anticipated Classification of this application:

Class _____ Subclass _____

Prior Application

Examiner: K. Hendricks

Art Unit: 1814

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX PATENT APPLICATION

This is a request for filing a ☒ Continuation ☐ Divisional Application under 37 CFR 1.60, of pending prior application Serial No. 08/279,058 filed on July 22, 1994 of Michael O'Donnell for DNA POLYMERASE III HOLOENZYME

☒ Enclosed is a copy of U.S. Patent Application Serial No. 08/279,058, filed July 22, 1994. I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.60).

The enclosed copy of the prior application as originally filed includes:

105 page(s) of specification, claims and abstract
10 sheet(s) of drawings
0 pages of declaration and power of attorney

If the copy of the declaration being filed does not show applicant's signature, complete the following:

☒ In accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on October 15, 1994 (copy enclosed).

2. Amendments:

☒ Cancel in this application original claims 2-4 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

☒ Amend the specification by inserting before the first line, the sentence: "This is a ☒ continuation, ☐ division of application Serial number 08/279,058, filed on July 22, 1994."

3. The Filing Fee is Calculated Below:

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

(Col. 1)		(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXX	\$385	OR	XXXXXX	\$770
TOTAL CLAIMS	1 - 20 =	0	x 11 =	\$	OR	x 22 =	\$
INDEP CLAIMS	1 - 3 =	0	x 40 =	\$	OR	x 80 =	\$
[] MULTIPLE DEPENDENT CLAIM PRESENTED			x130 =	\$	OR	x260 =	\$
			TOTAL	\$385	OR	TOTAL	\$

*If the Total Claims are less than 20
and Indep. Claims are less than 3,
enter "0" in Col. 2

4. Small Entity Status:

[X] A verified statement that this filing is by a small entity:

[] is attached

[X] has been filed in the parent application (copy enclosed)
and such status is still proper and desired (37 CFR
1.28(a))

5. New [] formal, [] informal drawings are enclosed.

6. Priority -- 35 U.S.C. 119:

[] Priority of application serial no. 0 / _____
filed on _____ in _____ (country)
is claimed under 35 U.S.C. 119.

[] The certified copy has been filed in prior U.S. Application
Serial No. 0 / _____ on _____.

[] The certified copy will follow.

7. Assignment:

[X] The prior application is assigned of record to Cornell Research
Foundation, Inc.

[] an assignment of the invention to _____ is attached.

8. Fee Payment:

[] Not Enclosed

[X] A check in the amount of \$385 is enclosed.

[] A check in the amount of \$ _____ to cover the
assignment recording fee is enclosed.

- [X] The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

9. Power of Attorney:

- [X] The power of attorney in the prior application is to: George M. Yahwak, Registration No. 26,824
- a. [] The power appears in the original papers in the prior application.
- b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [X] A Revocation and Power of Attorney power has been executed and is attached.
- d. [X] Address all future communications to (may only be completed by applicant, or attorney or agent of record):

Michael L. Goldman
Nixon, Hargrave, Devans & Doyle LLP
Clinton Square
P.O. Box 1051
Rochester, New York 14603

10. Maintenance of Copendency of Prior Application

- [] A copy of the Request for Extension of Time filed in the pending prior application is attached.

Respectfully submitted,

Date: March 28, 1997

Karla M. Weyand
Karla M. Weyand
Registration No. 40,223

NIXON, HARGRAVE, DEVANS & DOYLE LLP
Clinton Square, P.O. Box 1051
Rochester, New York 14603
Telephone: (716) 263-1508
Telecopy: (716) 263-1600



EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to a copy of the Small Entity Statement (2 pages) as filed in the prior application of the above-named application.

"EXPRESS MAIL"

NUMBER: EM584470680US

DATE OF DEPOSIT: March 28, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Wendy L. Harrold

(Typed or printed name of person
mailing paper or fee)

Wendy L. Harrold

(Signature of person mailing paper
or fee)



EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to a copy of the Combined Declaration and Power of Attorney (2 pages) as filed in the prior application of the above-named application.

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or fee)



EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to a copy of the Patent Application (including Specification, Claims and Abstract) (105 pages) as filed in the prior application of the above-named application.

"EXPRESS MAIL"

NUMBER: EM584470680US

DATE OF DEPOSIT: March 28, 1997

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or fee)



EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to the **Division-Continuation Application Transmittal Letter (3 pages) (in duplicate)** as filed in the above-named application.

"EXPRESS MAIL"

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DATE OF DEPOSIT: March 28, 1997

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EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to a copy of the Informal Drawings (10 pages) as filed in the prior application of the above-named application.

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